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6 TRAYVON SMITH

7
8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10
11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 vs.

14 TRAYVON SMITH,

15 Defendant.

Case No. 1:21-cr-00227 ADA
Case No. 1:17-cr-00070 ADA

**STIPULATION TO CONTINUE
SENTENCING; ORDER THEREON**

Date: March 13, 2023
Time: 8:30 a.m.
Judge: Hon. Ana de Alba

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19 **IT IS HEREBY STIPULATED** by and between the parties through their respective
20 counsel that the sentencing hearing scheduled for February 27, 2023 may be continued to March
21 13, 2023 at 8:30 a.m., before the Honorable Ana de Alba.

22 Trayvon Smith has pled guilty to being a felon in possession of a firearm in Case No.
23 1:21-cr-00227 ADA, and admitted violating the terms of his supervised release in Case No. 1:17-
24 cr-00070 ADA. Sentencing for both matters is currently scheduled for February 27, 2023. The
25 defense properly submitted informal objections to the draft presentence investigation report
26 (PSR), but incorrectly calendared the due date for its formal objections and inadvertently failed
27 to file them with the court in a timely manner. This short continuance is requested to allow time
28 for the filing of Mr. Smith's formal objections to PSR, and the government's response thereto.

The parties agree that any delay resulting from the continuance shall be excluded as necessary for effective defense preparation pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and 3161(B)(iv). For this reason, the ends of justice served by the granting of the requested continuance outweigh the interests of the public and the defendant in a speedy trial

PHILLIP A. TALBERT
United States Attorney

DATED: February 21, 2023

By /s/ Justin J. Gilio
JUSTIN J. GILIO
Assistant United States Attorney
Attorneys for Plaintiff

HEATHER E. WILLIAMS
Federal Defender

DATED: February 21, 2023


By /s/ Eric V. Kersten
ERIC V. KERSTEN
Assistant Federal Defender
Attorneys for Defendant
TRAYVON SMITH

ORDER

IT IS SO ORDERED. For the reasons set forth above sentencing is continued to March 13, 2023,

IT IS SO ORDERED.

Dated: February 22, 2023


UNITED STATES DISTRICT JUDGE